pritte Loss in First Two Days of Third Summer Campaign Greater Than in the Opening Fights in October, 1899 —English Troops in Poor Condition.

Special Cable Desputch to THE SUN. LONDON, Sept. 21.—The Boers comhis week. The opening engagement within two days resulted, so far as the British rensorahip discloses, in eighty British killed and 370 wounded and taken prisoners, well as five guns captured. This exceeds the loss in the opening fights in October, 1899, when the combatants first

It would be a serious mistake to assume that because about 20,000 Boers are prisoners it would be impossible for battles of the magnitude of the first struggles at the Tugela and Modder River to be repeated. The Boers in the past year have probably seruited 5,000 Colonial Dutch, while the republican forces are now at their fullest available strength, instead of, as originally, leaving one man of each family to reside on the farm. On the other hand Lord Kitchenor's army, although five times the strength of Gen. Buller's first force, does not represent a proportionately greater combatant capacity. Before the invasion of the Boer republics the total British force was available for seeking and engaging the Boers, but now nearly 3,000 miles of railway must be guarded so closely that adjoining posts must meet daily and nightly. In consequence about 70,000 are free to deal with the commanders. There is no means of enumerating the armed Boers, but there are probably over 12,000 fighting men with an invaluable intelligence department, which consists of the strong sympathy of 90 per cent, of the inhabitants the entire area over which they have hitherto moved. Commander-in-Chief Botha's present plan

is simple, and apparently workable. As soon as Lord Kitchener's date of Sept. 15 for the general surrender of the Burghers ispled and the Boer leaders were placed under the ban of the forfeiture of their property and lifelong exile, it was obvious \$ they could serve no purpose by remaining the republican territory. They, therefore struck immediately into the British colonies where they were enabled to make jects. It is significant that there is no record their releasing prisoners during the will present week's engagement

If the British authorities attempt any particular severity in the new phase of the war the fact that the Boers are able to particularly the mounted men, are in a nost unsatisfactory condition. The in fantry has long succumbed to the fatalistic idea that they are trudging after an agile will-o'-the-wisp, whom they never expect to catch, while the recent importation of British horsemen, like the Bourtoons learn

nothing and forget nothing Secretary of War Brodrick's most notable contribution to the field force was in a m !ing out 15,000 Yeomanry, Lord Kitch ener's criticism of them, in a report which the War Office was constrained to publish, was: "Many of them were unable either to ride or shoot, and others are quite unsuitable for the work in hand. Numbers of them had to be taught the elements of a soldier's business when they were sorely needed at the front. Over 100 of the 400 officers had to be sent home."

Yeary and disgusted though the English people are with the war, yet the dangerous quicksand on which they seem to see their ienerals, regulars and volunteers alike, has compelled the newspapers to give great prominence to the bad news of the week, and yesterday and to-day the War Office messages supplanted the rest of the world's news for prominence in all the pournals. The misgivings in regard the future have been deepened by the announcement that Secretary of War announcement that Secretary of War this morning made public an abstract of the opinion of the court of inquiry in the case of Col. Robert L. Meade of the It confirms the statements Buller to the command of the First Army

DETAILS OF BRITISH DEFEAT. Walked Into a Trap Set for Them by the Beers Officers Escape.

Special Cable Despatch to THE SUN. PRETORIA, Sept. 20.—Details have been received here of the fight between Major Sough and the Boers in which the British were ambushed and lost heavily. The ountry is rough and difficult. Major Gough with 180 mounted infantry made dashing attack upon 200 Boers who were isscending a hill in front of the British. Six or eight hundred Boers were ambushed the capture of the force with three guns. Twenty-five of the British escaped. Major Gough and Capt. Craycraft effected their scape later in the darkness. It is reported that Commander-in-Chief Botha and Comnandant Chris Botha were present. The

guns were destroyed It is believed here that about 2,000 Boers have concentrated for operations in Natal. t is not certain at what point of the Natal border they are aiming. If they attempt to go through Zululand they will probably get into a fight with the natives, who are riendly to the British. Gen. Lyttelton

b planning counter-operations. is believed by the British military authorities that owing to the diminished numbers of Boers in the field it will be comparatively easy for the English to concenrate an overwhelming force at any point

CZAR NOT TO INTERVENE. Pro-Boer Newspaper Says He Prointsed

King Edward to Keep His Hands Off.

Special Cable Despatch to THE SUS. COLOGNE, Sept. 21.-A newspaper here, which is often the mouthpiece of the Transmai directorate in Europe, speaking of the report of probable intervention in favor of the Boers, says: "They [the Boers] cannot look to the Czar for intervention, ance at the meeting with King Edward at Predensborg the Russian ruler renewed his promise not to intervene

BOERS LEFT EIGHTEEN DEAD. Col. Munro's Column Had an Engageme

Special Cable trematch to THE SUS CAPE TOWN, Sept. 21 -Col. Munro's column engaged Gen Fouch's commando, east of Sterkstroom, on Sept. 14 Previous to this, Col. Munro had driven Gen. Fouch.

SEVENTH NATIONAL'TO RESUME. Confetroller Dawie Approves the Pla

WASHINGTON, Sept. 21.-The Comptroller of the Currency to-day approved plans for the reorganization of the Seventh National Bank of New York. Comptroll Dawes issued a statement in which he said that William Nelson Cromwell, counsel for the Reorganization Committee of the Seventh National Bank, accompanied by E. K Stallo and Forrest Raynor, receiver of the bank, called on him to-day and submitted plans for the readjustment of the affairs of the bank.

Under those plans, the depositors of the bank will be paid in full, with interest, as quickly as the legal requirements in the case of reorganized banks can be complied with, which will be but a few weeks. There has been subscribed \$1,725,000 in cash, more than \$1,500,000 of which has already been paid into the hands of the committee.

The Beorganization Committee really presented two alternative plans for reorganization, both of which have been approved by the Comptroller. The decision as to which one shall be followed will be determined by the committee within the

Under the first plan submitted the existing assets are reappraised at a present value on a conservative basis and a loss of over \$1,250,000 has been written off. The existing capital stock also is to be reduced and cancelled in the sum of \$300,000, the stockholders retaining \$200,000 in recognition of their equities.

The reduced capital stock is then to be increased to \$1,700,000 by the addition of \$1,500,000 stock which has already been

increased to \$1,700,000 by the addition of \$1,500,000 stock which has already been sold for \$115 a share, producing \$1,725,000 fresh each. This increased stock will be effered pro rata to the present stockholders and Mr. Cromwell has insured the success of the plan by forming an underwriting available, which has subscribed for the

syndicate which has subscribed for the same and paid in the requisite amount ready for use.

The name of the reestablished bank will be the Century National Bank of the City of New York. Its Board of Directors will be almost entirely new, comprising among others Edwin Gould, Edward R. Thomas, son of Gen. Samuel Thomas, Alexander MeDonald, William Nelson Cromcollect armed hosinges whenever they try may induce the English to pause. The present position thus remains difficult, though in a different way from what it was two years ago. Many of the British troops,

as active Vice-President and eashier.

The bank will resume at its present offices, but a lease has aiready been made for more extensive quarters in the building under construction one block distant at Maiden lane and Broadway The reestablished bank will then have a capital more than three times that of the existing bank, prac-tically a new Board of Directors, an entire new staff of Executive officers, a new name

and new offices.

In case of any legal impediment which nay arise in the consummation of this plan. Comptroller Dawes has approved an alternative plan which accomplishes practically the same things for the creditors through the formation of a new bank, with a new name and with a new capital and the purchase of the assets of the existing bank upon the discharge of its lightities.

Transport Buford Runs Agrenne

WASHINGTON, Sept. 21.-Gen. Chaffee cabled the War Department to-day, reporting that the transport Buford, which went to Mindanao to take on board part of the 27th Infantry, had gone aground on a bar at the mouth of the Rio Grande River, in Mindanao. Gen. Chaffee explained that the transport was uninjured and that he had sent the transport Lawton and several lighters to float the vessal.

Marine Corps. It confirms the statements published unofficially some time ago that the court of inquiry had exonerated Col. Denny and Major Lauchheimer and had recommended the court-martial of Col. Meade, who is charged with being intoxicated while on duty.

Army and Navy Orders.

WASHINGTON, Sept. 21. -These army orders have been issued Contract Surgeon George H. Richardson, from Platishing barracks to Fort Apache. Capi. Samuel B. Hootes, commissary, to San Fran-cisco as an assistant in office of purchasing commis-

from San Franciaco to his home and to awall retire ment.
The resignation of Cana Rugene H. Stafford, Assistant Surgeon of Voluntees, accepted.
Major John B. Rodman from the Twentieth to the Thirtieth Infantry. Major William T. Wood, from the Thirtieth Infantry. Major William T. Wood, from the Thirtieth to the Twentieth Infantry.
Leave of absence for thirty five days granted Second Lieut. Francis A. Ruggles. Fourth Cavalry, and on its expiration to Fort Myer.
First Lieut Harry P. Wilhur, Artillery Corps, detailed as Judge Advocate of the general court-martial at Post Hamilton, the Second Lieut. Hichard Furnival. Artillery Corps, relieved.
Second Lieut. Cuttis G. Boorbeck. Artillery Corps, recently appointed assigned to the Fifty-eighth Company. Could Artillery, at For Monroe.

These naval orders have seen issued.
Changes in Asiale Station Capt. H. L. Draper.
I. S. M. C. from the New York to Vokonama Hospital First Llevt. J. S. Mur. C. from Marine
Brigade to Yokonama Hospital. Capt. D. D. Porter.
I. S. M. C. from Cavife to the New York. Naval
Cades. J. C. Fremont, to the Brooklyn Assistant
Surgeons F. A. Asserson and J. W. Baschus, to Cavife
Inospital. Assistant Surgeon A. E. Peck, to the Manilasights and breech blocks of the captured

Incorporated at Albans

ALBANY Sept. 21. The American Fleetric Company of New York City was incorporated to-day with a capital of \$1,000,000, to manufacture a patented substance re sembling Mannite. The directors are Mor-

M. Whitehear, Edwiner Brothers Company Dion.

The Ottenheimer Brothers Company were also incorporated to-day, with a capital of \$300,000, to manufacture corsets in New York City. The directors are Louis Stern, George Quickenbush and Henry Rindskopf of New York; Edwin S. Greeley of New Haven, and Friend A. Russ of Green-

Policemen Receive Medals for Bravery Police Commissioner Murphy yesterday presented medals for bravery to Roundsman Mills of the East 126th street station, Patrolmen Neil Sullivan and Tourney of the barbor patrol, and Patrolman George McDermott of the West Sixty-eighth street station. Col. Murphy complimented the men and advised them to obey the rules and to keep away from drink. They might then be in line for further recognition, he

senator Depen to Speak at the Pan-

American. Senator Chauncey M Depew, chairman of all the boards of directors of the

WIFE CRUEL TO CALDWELL?

RACEHORSE STARTER HAS SCED FOR SEPARATION.

Mrs. Caldwell Makes a Counterclaim, Also Alleging Cruelty —Each Says the Other Drinks to Excess, but Husband's List of Comptaints is the Longer.

James F. Caldwell, well-known as a starter at racetracks, has an action pending in the Supreme Court in this county for a separation from his wife Grace, whom he charges with cruelty. She makes a counterclaim for a separation on the same ground. The Caldwells have been residing in the same house at Saratoga while the action has been pending but they occupy separate apartments. A motion Mrs. Caldwell to transfer the case to Saratoga for trial on allegations that they are residents of that place and to suit the conveniences of witnesses was denied yesterday by Justice Truax. Senator Edward T. Brackett appears for Mrs. Cald-

be determined by the committee within the next week. One plan provides for the reorganization of the present bank under a new name with an increased capital of not less than \$1,500,000.

The other plan provides for the practical accomplishment of the same end through the organization of a new bank which will purchase, with the approval of the United States Court, the assets of the Seventh National Bank at a figure which will enable it to pay its liabilities in full.

In order to carry out the first plan, which is the one preferred by the committee, one or two minor adjustments, now in progress with stockholders, will have to be made before it can be effective; but the second plan has been agreed to, if such adjustments are not made, in order to make certain the payment of depositors in full.

The bank when reorganized under either of these place will have on depositors in full.

The bank when reorganized under either of these place will have on depositors in full.

The bank when reorganized under either of these places will have on depositors in full.

The bank when reorganized under either of these places will have on depositors in full. threat that she would finish him. He declares that it was not an unusual thing for her to take offence at some trivial thing and straightway begin throwing plates, victuals and other objects at him. Money which he gave her for the household often went for drink. When he limited her allowance she pawned his jewelry. Clime or season made no difference with her, he affirms, for such scenes are attributed to her at different times in Saratoga. San Francisco, Cheinnati, Memphis and this city.

Mrs. Caldwell denies these impeach ments in their order and asserts that the starter was sometimes so far gone in his cups that he was oblivious of what she night have been doing. She declares might have been doing. She declares that he siapped her often and denounced her He had told her he was going to leave ber and his mind would not be burdened with

The defendant is a sister of Mrs. Annie L. Campbell, who was the wife of the late William Campbell, a wealthy wall paper manufacturer. Campbell and his wife were divorced years ago and a large sum of money was settled on her in lieu of nilof money was settled on her in lieu of ali-mony Mrs. Lillian Ash, subsequently resided in his house and on his death he left most of his estate to Mrs. Ash. There was a bequest of 375,000 for his daughter, Mrs. Stella Campbell Salomon Mrs. Salomon contested the will of her father but a settlement was reached by which, it is said. Mrs. Salomon obtained \$100,000 in addition to the bequest of \$75,000

TROUBLE IN ROPE AND TWINE.

Mr. Goldbacher Declares the Affairs of the Company Have Been Mismanaged.

proxies for 900 shares. As for the charge proxies for 200 shares. As for the charge of stock jobbery, any company applies to the stockholders to get proxies to be voted at the annual meeting. Mr. Goldhacher knows this thoroughly well, and I cannot see why be should object to our selling the mills, the plan for which was provided in the reorganization scheme. It he were a bendholder or represented hondholders I could understand it."

According to the minority report made

hondholders I could understand it."

According to the minority report made by Mr. Goldbacher, the company has diverted property which should be part of the security for the bonds in such a way that it can no longer be considered as such. Mills have been sold from time to time, it is asserted, in order to make a good showing in the report. At the time the Union Selling Company was formed, Standard Rope and Twine had just begun to show a profit, but this profit has since gone to the Union Selling Company.

Mr. Goldbacher asserts that at the time application was made to have the securi-

application was made to have the securi-ties of the Standard company lated, it was stated that five of the twenty-one mills owned by the United States Cordage Company had been turned over and that the remaining sixteen, in the hands of the Reorganization Committee, would soon be turned over also, but that these mills have never been furned over to the Standard Rope and Twine Company, which Low

HOT FIGHT WITH HORSE THIENES.

Caught in Barn, They Blazed Away Till Ammunition Was Gone One Drowned? PATERSON, N. J., Sept. 21 The Passaic police captured two horse thieves this morning and wounded another who escaped, but who is believed to have drowned in the Passaic River. The police got a tip from New York that thieves were planning to rob James Hanlon's barn in Ninth street, near the Garfield bridge. The place was watched and last night four men broke into it. Sengt. Kelly and Officers Schmid, Crawbuck, Turner and Creen were in hiding and as soon as the thieves had harnessed two horses to a wagon the police went

The thieves opened fire and the officers returned it. The fusiliade continued until the thieves were nearly out of acomunition. Then they gave themselves up. One, how-ever, jumped through a window in the barn and ran toward the river. He was followed by Officers Green and Turner and there was a running pistol fire. The thief sent five bullets near the heads of the officers. As he nearest the river he stumbled and As he heared the river he stumbed and staggered along until he finally plunged into the river. By the time the officers reached the bank all was still. The man-could not have got across because the river is wide at that point. A close search was made along the bank, but it revealed nothing.

nothing.

The thieves who were arrested said they were Frank Gilmore of the Bowery, New York, and James Shafer of Brooklyn. The York, and James Shafer of Brooklyn. The third man, thought to be drowned, is supposed to have been Frank Cohen of New York. The fourth man was a stool pigeon who gave the police the tip. The prisoners say they came to Passaic to look for work and thet a man named Cohen, who offered them \$50 each if they would help him steal the truck and team. The police do not believe the story, as they have information that the three were a gaug who have been that the three were a gang who have been making a business of horse stealing.

The government of Colombia continues buying large supplies of war material in

P. M. SULLIVAN'S DAMAGE SUIT. Wants 6260,000 From Appellate Judges, District Attorneys and Others.

NORTH TONAWANDA, N. Y., Sept. 21.— The defendants in the damage suit recently begun by Peter M. Sullivan of New York city, formerly of California, will-get together before the end of the month and all will put in the same answer. An effort will be made to have the case tried in this county instead of in New York city, as

Sullivan wants \$200,000 for the loss of his reputation, his law library and the right to practise his profession in the courts of this State. The defendants are all well known men, including all the Judges of the Appellate Court in this district, the District Attorney of Niagara county, United States Commissioner Pound, Assistant United States District Attorney Dempsey, City Clerk Cramer of North Tonswands, and many others. The summons and complaint has been served on almost all the defendants. It contains about 20,000 words. The suit is the outgrowth of the book written by Sullivan, entitled A California Conspiracy With Western New York Episodes," which was placed upon the market some months ago, and in which the author alleges that nearly all the prominent men in California and western New York tried to take his life. Failing in this, they did everything within their power to degrade and ruin him.

Sullivan's lawsuit promises to attract more attention than did his book. A copy of the complaint has been given out by one of the defendants. In it the plaintiff defor political purposes; that they tried to place him in an insane asylum, after failing to convict him of crimes that they knew he had not committed; that the District Attorney of Niagara county made a great effort to have the plaintiff indicted on testimony which he knew was false, and that the witnesses against him had been bribed. In that part of the complaint referring to the Appellate Court Judges the plaintiff declares that they ordered the disbarment proceedings brought against him and then sat in judgment upon his case, all of which

by malice. In the paragraph referring to his grievance against the present City Clerk of North Fonawafida the plaintif alleges that the City Clerk, who was in "cahoots" with the other defendants, went "cahoots" with the other defendants, went to his residence at night and called him from his bed for the purpose of doing him hodily harm, and that he was compelled to defend ois life.

The plaintiff is at present employed as a clerk in the office of a former District At-torney of New York county, and it is said that he has been supplied with ample cap-ital with which he carry on his suit.

that he has been supplied with ample capital with which to carry on his suit.

"Some of the men named as defendants have been very friendly to Sullivan," said District Attorney Hopkins to The Sun correspondent. "His allegations are all absurd. The referee who took the evidence in the disharment proceedings against Sullivan, reported to the Court that the man tried to send him to prison on the streng of evidence which I knew to have been p of evidence which I knew to have been per-jured. If the witnesses did not tell the truth I was not awars of the fact. I only did my duty and have no fear as to the cutesme of this damage suit. Sullivan will not get \$200,000 nor any part of that

President Thomas Russell of the Standard Rope and Twine Company made a statement yesterday regarding the charges of Joseph N Goldbacher, chairman of the committee appointed a year ago to investigate the affairs of the company and its relation to the Union Selling Company. The charges are in a minority report, signed by Mr. Goldbacher, which he made public on Friday

"I cannot understand," said Mr. Russell, "why Mr. Goldbacher has taken exception."

will not get \$200,000 nor any part of that sum from me.

Assistant United States District Attornov Dempsov said: "Mr. Sullivan has been treated unfairly he has a right to sue. I harbor no fill will toward the man. As a defendant, however, I feel toat it would be out of place to say much about the case at this time. Mr. Sullivan alleges that I persecuted him."

Shortly after Mr. Sullivan came to this city he helped to frame the city charter. It was agreed that he should be appointed tity Judge by the Governor, but the charter why Mr. Goldbacher has taken exception to our publishing the majority report of the Stockholders' Committee. The matter was thoroughly thrashed out at the time it was read and by a very large vote of the stockholders the minority report was began a rejectless warfare against them. Serveral former friends of Mr Sullivan who tried to have him appointed to the bench are named as defendants in the

RUSSELL MUST PAY HIS ROYD. Father of the Fugitive Raider Held to His Obligation for Batt.

metion of William G. Russell to set aside the forfeiture of his bond of \$200 given to secure the appearance of his son the "Rev" Frederick Bruce Russell of the State Law and Order League to arsvera charge of exterting bribes from saleonkeepers was deried by Justice McAdam vesterday in the Supreme Court Russell of the league is missing. He has been declared a fugitive from justice and a war-

In asking rel e from the bond Russell, senior, who is in the real cetate businers in Brooklyn, contended through his coun-sel, William G. Cooke, that Russell, numer. ssl, William G. Cooke, that Russell, inmore, was not held for any crime known to the law. The committment recited that the son was held as a "sus person". Counsel said he knew of no crimical in law designated by that name. He said the prisoner might as well have been kept in durance on a charge of being cross-eyed or ofwearing a straw hat in snow time. The District Attorney replied that "sus," was a cummon abbreviation of suspicious person in police court annals and that was what was meant. Lawyer Cooke said that would not help out the case is cause it was not a crime to be suspicious. In denying the motion dustice McAdam said.

Where there is reasonable cause to believe that a person has committed a

where there is reasonable cause to believe that a person has committed a felony he may be arrested without a war-ant. Yet the belief is generally nothing more than a well-grounded suspicion. Such a person is, therefore, regarded in police parlance as a 'suspicious person,' the designation aptly denoting the of-

The condition of the bond was not only The condition of the bond was not only to produce the prisoner before the Magistrate on the following day but he was there to remain to answer, subject to any order of the magistrate and render himself in execution thereof. The complainant appeared in court on Aug the day specific the prisoner with extortion, a crime which may be either felony or misdemeanor, may be either felony or misdemeanor. No submay be either relay or insidementally according to circumstances. No substantial or other right of the defendant has been prejudiced in this instance. It follows that the defendant's motion to vacate the judgment and execution must be denied with \$10 costs.

YOUNG WIFE TAKES POISON. About Gotog to Theatre.

Mrs. Fannie McKee, 27 years old, was taken from her home at 167 Hoyt street, Brooklyn, on Friday night to the Long Island College Hospital, suffering from the effects of iodine taken as alleged with suicidal purpose. The young woman will

According to the police, Mrs. McKee

The first delegation of the Maurice Grau Opera Company sailed vesterday for this this Coi. Murro had driven on Sept 14 Previous to this, Coi. Murro had driven on the vicinity of Jamestown. The fight from the vicinity of Jamestown. The fight deliver a culcy of President McKinley direction. They left eighteen dead on the direction on the Temple of Music, the building in the Boars retreating in an easterny in the Temple of Music, the building in the Boars retreating in an easterny in the Temple of Music, the building in the Boars retreating in an easterny in the Temple of Music, the building in the Staturday. The main that just fits the vest position of the Staturday. The main that just fits the vest position of the Staturday. The main temper on the staturday of president McKinley in the Temple of Music, the building in the Staturday. The main that just fits the vest position of the Staturday. The main temper on the Staturday of president McKinley in the Staturday. The main that just fits the vest position that just fits the vest position that just fits the vest position. They left eighteen dead on the building in the Staturday of the staturday of the steamer Aleac, which sailed for Certangen will come that the Charge and Misc. Thomas and the Board of the Calves and Misc. Thomas and the building in the staturday of the steamer Aleac, which sailed for Certangen will come that Just fits the vest position and the Misc. Thomas country.

Persuaded Ilis Wife by Misrepresentation to Sign, in 1887, a Paper by Which She Renounced All Her Rights as His Wife In Consideration of \$15,000 in Cash.

ROCHESTER, Sept. 21.-The will of Frederick Hodecker, a brewer, who spent the last years of his life abroad, was offered for probate in the Surrogate's Court to-day One-third of the estate is left to Mrs. Emms Stricker, his paramour. As there will be a contest by the wife, who is not mentioned in the will, the bearing was put over until Nov. 4. Mrs. Hodecker says she has a will which was executed in 1879, and in which property amounting to apward of \$150,000 was left to her. Mrs. Hodecker new resides ia this city

The Hodeckers were married in Rome N. Y., twenty years ago. The ceremony was performed in the Roman Catholic Church. They lived happy together until the suramer of 1887, when, it is alteged. Hodecker became infatuated with Emme Stricker, a beautiful and accomplished young woman of this city, and fell so com-pletely under her control that they together concocted a conspiracy for the purpose of getting rid of the wife. In pursuance of this plot Hodecker persuaded his wife, who was unacquainted with business ways, to sign a separation agreement, represen-ing to her that it was a paper of a different nature. This agreement provided that Mrs. Hodecker was to renounce all her rights as a wife in consideration of the payment to her of \$15,000 in cash. After the of the defendants. In it the plaintiff deciares that his enemies are known as the Ring Republicans of Western New York." He alleges that they conspired against him for political purposes; that they tried to place him in an insane asylum, after failing to convict him of crimes that they knew he had not committed; that the District Attorney of Niagara county made a great effort to have the plaintiff indicted on testinony which he knew was false, and that the witnesses against him had been bribed.

In that part of the complaint referring to the head of the complaint referring to the complaint referring to the complaint referring to the head of the complaint referring to the referring to the result of the paper, without knowing what she was doing, it is alleged that her husband forced the money upon the rand then ordered her out of the house Subsequently, it is alleged that her husband forced the money upon that he Mrs. Hodecker took the matter into th

Mrs. Hodecker took the matter into the courts, where it has been pending for the past five years. The first action brought by the wronged wife was a decidedly novel one. It was instituted against the Stricker woman in the Equity Term to compel her to renounce the name and position of Mrs. Frederick Hodecker, which, it was alleged, she had falsely assumed. It was the first case of the kind ever brought into the courts. Justice Davy of the Subrame Court decided that he had no jurisdiction to enforce the remedy asked for by the plantiff, and his decision was affirmed. plaintiff, and his decision was affirmed by the Appeliate Division. Subsequently other actions were brought by Mrs. Hodecker, one against the Stricker woman to recover \$10,000 for alienating the affection. tions of her husband, and the other for a limited divorce, with alimony, on the ground

his paramour went with him. She was known as Emma May abroad, and it is under that name that she receives the legacy in his will. The sum of \$100,000 is left to relatives.

SCHALL'S PUZZLING WILL. The Courts Asked to Construe It \$20

Relatives Made Defendants. HERRIMER, Sept. 21. An interesting trial will be begun in Special Term here all relatives of Menzo Schaul, a prosperous farmer, who died in Mohawk on Jan. 16. 1809. The suit is brought by Menzo Ames. the surviving executor of estate, and he wants the meaning of the decedent's will construed Schaul made his will just two days before his death The clause upon which the executor de sires an interpretation is the third one

sires an interpretation is the third one, and it reads as follows:

"After the death of my said wife, or in the event of her remarrying again, I give, devise and bequeath all of my said property and estate to those who at the time of the death of my said wife, or her remarriage, in the event of her remarrying again, should be related to me as third cousins, to be divided among such third cousins, share and share alike. By the term third cousins I mean the children of those persons who are related to me as causins. sons who are related to the as cousins It is the last sentence of the section that is causing the trouble in disposing of the Schaul estate. The question is whether Schaul intended to distribute his property among his second cousins, that is, the children of his first cousins. There are a large suppler of lawyers in the case. of the defendants are minors who appear in the case by guardians.

RUTGERS TRIES A ROPE RUSH. Substituted for the Cane Rush, Which Was loted Tee Brutal.

NEW BRUNSWICK, N. J., Sept. 22. Time under classes of Rutgers College experimented yesterday afternoon with a "rope" rush, substituted for the old-time cane rush which was abolished last year because freshmen were fairly evenly matched, the freshmen numbering thirty-six to thirtytwo sophomores. When the signal was given the freshmen divided up in squads of four, each of which setzed a sophomore and bound him up with lengths of rope, two of which had been given to each student.
The sophomers fought hard but only
managed to the up thirteen freshmen.
At the end of fourteen minutes every sophomore was bound. As fast as the men were tied up they were carried from the field by the upper classmen who managed the

No one was nurt except Milton S. Ley, a sophomere of Elizabeth, who had his ankle sprained. An admission was charged to witness the rush, the receipts being do-nated to the athletic association.

seth H. Michels Bles of His Wound. SARATOGA, Sept. 21. Seth H. Nichols, proprietor of the Lake House, Harrisburg Lake, and well-known to New York tourists in the Adirondacks, died there yesterday morning. His demise was the result of a revolver shot wound inflicted upon him last Tuesday in his hotel by a guest, Dr. lest Tuesday in his hotel by a guest, Dr. Harry A. Lincoln of Wilton, Suratoga county. Lincoln, who is in the Warren County Jail is a physical wreek, owing

BREAKS UP

unless "broken up," may "hang on" all winter, and is apt to run into Grip, Catarris or Bronchitis, and possibly break According to the police, Mrs. McKee and made arrangements to go to the theather with her husband on Friday night, but he got home so late that the plans were upset. In her disappointment Mrs. McKee, a fall Cold, it means so much. "77" is the remedy and the cure; taken at the beginning, the Cold never reaches the system during the attack. "77" is a small vial of pleasant pellets hamilion stemper to Tobin.

HODECKER'S WILL CONTESTED H. KOCH & CO.

125th Street West.

Trimmed Millinery.

Come and view our display. Whether you prefer an imported hat or an American creation, you ought to see our collection before determining upon a choice. Handsome effects here that cannot be found elsewhere - while every price must interest the would-be purchaser.

of remarkable values from which we select LL SILK HATS, round or square crown, in cord effects and shirred brim, finished

READY-TO-WEAR HATS-2 big assortment | UNTRIMMED HATS, MILLINERY TRIM-MINGS-everything that is good and pretty and prices exceptionally moderate.

CHILDREN'S HATS-trimmed and untrimmed -charming ideas at irresistibly little

Ladies' Suits, Skirts, Waists, Etc.

New things for the new season-large assortments-choice materialsbest workmanship--these matchless opportunities for Monday and Tuesday: ADJES' SUITS of best quality Broadcloth, | LADJES' PEDESTRIAN SKIRTS of all wool

double breasted jacket effect, flounc: Cheviots, flounce effect, strictly man tai-skirt on drop of taffeta silk, finely tailored, lored, Oxford, blue or black, value 7.00. blue, brown or black, reg. 30.00 ADIES' SUITS of all wool imported Chev-lots. Norfolk or double breasted Eton effect, pedestrian or full length flounce skirt, black or Oxford, reg. 18.00, 13.50

ADIES' DRESS SKIRTS of good quality taf-

feta silk, neatly trimmed, a variety of styles

23.75
LADIES' SILK WAISTS of best quality taffeta, tucked all over and finished with
fancy stitching, open back or front
th flounce all colors, also black, value 7.00....4.98 LADIES' HOUSE GOWNS of all wool Cashmere, prettily trimmed with lace insertions.

tions, every color, including black, rea.

Monday & Tuesday Attractions in Silks & Dress Goods.

BLACK ALL SILK TAFFETA, a good qual- | BLACK ALL WOOL PEBBLE CHEVIOT 85c. per yard

COLORED ALL SILK CREPE DE CHINE. including black and white, 24 inches

superior quality and high lustre, reg. BLACK FRENCH WHIPCORD, a very superior quality, 48 in. wide, reg. full line of street and evening shades, 24 inches wide, reg. 83c. per yard, 69c GOLORED ALL WOOL VENETIAN CLOTH, in all the new Fall shades, 40 in wide, reg. 65c per yard elegant quality, in a'l the leading shades. COLORED ALL WOOL GRANITE SUIT-INGS, in the latest Autumn of r-ings, 46 in, wide, reg. 89c, per vd. 39c

Monday & Tues Curtains, Table Covers, &c.

NOTTINGHAM LACE CURTAINS, reproduc- | TAPESTRY CURTAINS, in two-toned and tions of the real laces. Rrg. 2.25, 2.00, 3.75, 4.50 pair At 1 50 1.95 2.50 3.50 " IRISH POINT LACE CURTAINS, fine net centres, heavy borders.
Reg. 5.50 7.25 8.75 9.50 pair

41 4.25 5 50 6.50 7.50 " TAPESTRY COUCH COVERS, Bagdad of fects, full size, fringed all round,

carved, swell top drawers, fancy shaped French plate mirror, ter, 25.75 MATTRESSES, full weight, of extra quality

floral effects, finished with beave valance Reg. 5.50 7.50 8.75 9.40 p.lff At 3.75 5.75 6.50 7.50 "

TAPESTRY TABLE COVERS, latest designs

Monfay & Furniture—Big Savings. SIDEBOARDS of golden oak, handsomely WHITE ENAMELLED IRON BEDSTEADS,

RUND EXTENSION TABLES, highly polished, heavy turned legs, eight feet extension, reg. 14.75 10.85

DINING CHAIRS of golden quartered oak, box seat, reg. 2.75 2,19

MATTRESSES, full weight, of call calling had covered with best ticking, reg. 5.49

FEATHER PILOWS, large 5.7 are anted odorless and covered with best teching, reg. 1.25 600

Between Lenox and 125th Street West Seventh Avenus:

Order to Dispense With Whiskers.

Since the order went forth at the Fifth Avenue Hotel a few days ago that all the waiters in the dining hall must be clean shaven there have been discussions in the Hotel and Restaurant Employees' Association as to their action regarding the order. The association controls a number of the waiters in most of the other hotels and peveral years ago ordered a general strike against a rule compelling all waiters to shave. It was said vesterday that if the shaving order is issued in the other hotels no objection will be raised this time.

MR. ROOT'S SON A LITTLE BETTER.

in the Disease Is Past. Secretary Elling Root, who after the Cabinet meeting on Friday night hurried from Washington to his home here, on account of the illness of his son, remained at his residence, 25 East Sixty-ninth street, vesterday. He said that he had come here to be with his son until the crisis in his case was past, and probably would remain in the house all the time until that had happened. He had no plans, he said.
Mr. Root's son has typhoid fever. He
was stricken down two weeks ago. The
crisis is expected next Friday. Yesterday

The List of Referens.

The following is a list of referees appointed in eases, the Supreme Court last week Stolz (2 cares) Thomas 1. Length

Fink vs. Node (2 cases) Thomas I Length
Preshy terian Home for
Aged Women vs. Orifin, Daniel P. Ingraham.
Equitable Life Assi rance
Society vs. Wette.
Bosedoin vs. Taussig Edward D. O'Brien.
Bose vs. Stress Max A Simayer.
Carey vs. Barties Edward Jacobs.
Bobertson vs. Ward.
Brobertson vs. Ward.
Credit Guar. Co.
Whitternoic vs. Bosedoin vs.
Manierre vs. Conner.
Jakobi vs. Liebeskund
Haskins vs. Haskins and testification.
Hose vs. Kashare
Matter of Leatherfore William it. Hirsh
Maguire vs. Wener.
Massel vs. Wener.
Massel vs. Mohnson G.
Gasen.

Clarence L. Westent.

Liede vs. Henken T. J. Chalfield. Clarence L. Westcott. T. J. Chatfield.

(BASS) Clarence L. Wes liyde vs. Reuben. T. I. Chatheld. Cliticas' Savings Bank vs. Roe. Loncefield vs. Hoffen. Max Moses. Luyster vs. (Cittlen. Max Moses. Howers vs. Bonets C. Lockie, F. Lesan. Rosers C. Bose Erect Consession of the Consessio By Austice Truna.

Tucker vs. Forrest
Husby vs. Busby Charles S. Simpler
Husby vs. Busby Charles S. Simpler
Husby vs. Wester William G. Davis,
Daurskey vs. Westheim Frank F. Vanderv
Wings V. Woog. William G. Davis,
Anasiasia vs. Bustery Nav
Ings Davis,
Mount Morris Comp. Build
ing & Laan Assa. vs.
Floyd
Matter of Pennie. J. M. Guiterman.

Ashlet P. Fitch, ... Charles H. Machi Maurice Unicomy Wilher McBride. Gerard Puberts.

By Justice Dugro. Turner vs. Handey William J. O. Sullivan

WON'T OBJECT TO SHAVING. RUNAWAY GIRLS ARRESTED.

Jersey on a Boy's Institution. Cora Price of Pleasantville, N. J., and Adelaide Anderson of 29% Pennsylvania avenue. Atlantic City, two fifteen-year-old girls who ran away from their homes and came to this city on Tuesday morning were arraigned in the West Side police court yesterday morning. They were committed to the custody of the Children's Society until Monday morning to give the agent of the society time to investigate their doings while in this city. In the meantime Central Office Detectives Flav and Burke will investigate a story told by the girls which implicates George Wilson

The girls were arrested on Friday night at 267 West Thirty-eighth street, where Capt. Titus had been told by the Chief of Police of Atlantic City that they could probably be found. They had been living with Mrs. S. Albert. The two young men boarded on the floor above with another family. From the statements made by he runaway girls when they were arrested the detectives decided that there was noth-

the detectives decided that there was nothing in the actions of the young men to warrant their arrest.

In the West Side court yesterday the Price girl said that on Monday night she left home to visit her aunt in Atlantic City, but remained over night with her friend instead. Adelaide, she said, had been corresponding with Wilson, who formerly lived in Atlantic City, and had received a letter from him asking her to come to this city. The two girls decided to run away and come here together. They were met, the girl said, by Wilson, who took them to the Thirty-eighth street house. They had done nothing wrong, Cora declared, but had simply looked for employment.

Justice Bunkey to Resign and Practice Law in This City.

CORNING, N. Y., Sept. 21. - It is announced that Justice William Rumsey will resign as Justice of the Supreme Court and reside in New York where he will enter upon the practice of law with the firm of Shepard & Ingalis. Justice Rumsey is now serving in the Fourth Department of the Appellate Division. Prior to May 1 he was in the First Department. Judge Rumsey has been in the Supreme Court continuously for twenty years. He has seven years of his second term to serve.

R-I-PA-N-S

I had rheumatism very bad for two years. A frient said: "It must be in your blood. Just get some Ripans Tabules and then take them steady for about a month and I'll wager you will be well." Thanks to my triend, I have not an ache now. I am the mother of seven children and I give Ripans to all of

At druggists,

The Five-Cent packet is enough for an or linary occasion. The tamily bot le. 60 cents, contains a supply for a year.